

## 7.4

### PLANNED UNIT DEVELOPMENTS - SPECIAL REQUIREMENTS

#### 7.4.1

##### PURPOSE.

The purpose of planned unit developments is to permit flexibility in land use and to allow diversification in the interrelationships of various uses and structures with their sites and thus offers an alternative method to the traditional type of development. The application of planned unit development concepts is intended to encourage neighborhoods, housing, design, open space, and facilities compatible with the present living environment in the County as described by the General Plan, while at the same time insuring compliance with practices which will assure the health, safety, and public welfare of the future inhabitants of the planned unit development, as well as maximizing the energy utilization efficiency of the project. In exchange for the additional services provided by the developer in a planned unit development, this Chapter will allow for increased intensity of buildings and more flexible uses of land.

#### 7.4.2

##### CONDOMINIUMS TO BE DEVELOPED AS PLANNED UNIT DEVELOPMENT.

Where, in the opinion of the Planning Commission, the unique features of a condominium project (i.e., ownership, financing, topography, types of land uses, etc.) require more flexibility in design, solutions in order to protect the public interest, the proposed condominium project shall comply with the provisions of this Chapter and contrary provisions of other ordinances adopted by the County may be waived by the Planning Commission.

#### 7.4.3

##### PLANNED UNIT DEVELOPMENTS TO MEET USE LIMITATIONS OF DISTRICTS WHEREIN LOCATED.

No conditional use permit for a planned unit development shall be granted unless such development will meet the use limitations of the zoning district in which it is to be located, including planned unit developments in planned districts, and meet the density and other limitations of such districts, except as such requirements may be lawfully modified as provided by this Chapter or by district regulations. Compliance with the regulations of this Code in no sense excuses the development from the applicable requirements of the subdivision regulations, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development.

#### 7.4.4

##### REQUIRED CONDITIONS

##### 7.4.4.1

No planned unit development shall have an area less than that approved by the Planning Commission as adequate for the proposed development.

##### 7.4.4.2

The Planning Commission shall require such arrangements of structures and open spaces as necessary to assure that adjacent properties will not be adversely affected. In particular:

##### 7.4.4.2.1

Where feasible, buildings of least height and the least intensity of buildings and uses shall be arranged around the boundaries of the development.

##### 7.4.4.2.2

Lot area, width, yard, height, and coverage requirements shall be determined by approval of the preliminary design plan.

##### 7.4.4.2.3

Where feasible, buildings or landscaping shall not prohibit the free flow of air or direct exposure to sunlight, specifically in regard to solar heating and/or cooling structures by solar energy

systems.

7.4.4.2.4

The development will be planned so as to provide solar access to all of the residential units unless waived by the Planning Commission.

7.4.4.3

All plans must be prepared by a qualified professional team.

7.4.4.4

Ownership for tax liability of private open space reservations shall be established in a manner acceptable to the County Commission and made a part of the conditions of the plan approval.

7.4.5

Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by:

7.4.5.1

Dedication of the land to the County as a public park or parkway system, including a certificate of title insurance; or

7.4.5.2

Granting to the County a permanent, open space easement on and over the said private open spaces to guarantee that the open space remains perpetually in recreational or park use, with ownership and maintenance being the responsibility of an Owners' Association established with Articles of Association and By-Laws which are satisfactory to the County Commission; or

7.4.5.3

Granting to the County a permanent, open space easement on and over the said private open spaces to guarantee that the open space remains perpetually in recreational or park use, to be maintained from the proceeds of a perpetual maintenance trust fund established by the developer in an amount satisfactory to the County Commission; or by

7.4.5.4

Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1953, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities.